

REMARKS

This is a full and timely response to the election of invention and election of species requirements in the Office Action dated September 9, 2004, for which one month was allotted for reply. Reexamination and reconsideration are respectfully requested. Since October 9 fell on a Saturday and Monday, October 11, 2004 is a Federal Holiday, this submission is timely as of Tuesday, October 12, 2004.

Claim for Priority

It is noted with appreciation that the Action acknowledges receipt of the priority document in support of the claim for foreign priority.

Election of Invention Response to Restriction Requirement

In response to the pending Action requiring an election of invention, the Applicant, through its representatives and attorneys, respectfully provisionally elects with traverse the invention of Group I, containing Claims 1-33 and 53-77, drawn to a image display apparatus, classified in class 359, subclass 298. Original non-elected claims 34-52 are retained as withdrawn and are subject to rejoinder under MPEP 821.04. Please hold claims 34 to 52 in abeyance pending an indication of allowable subject matter for the elected invention and possible rejoinder upon such indication.

This requirement is respectfully traversed to preserve the Applicant's rights to provide linking claims and/or combination claims commensurate with the elected claims, or to permit rejoinder when appropriate upon the allowance of any of the elected claim.

Election of Species Response to the Restriction Requirement

The Action had also indicated that if Group I were elected, then an election of species

requirement would be in order directed to one of the embodiments noted in the paragraph spanning pages 4 and 5 of the Action. Species I(a) is respectfully provisionally elected with traverse to the nominated species having claims 27 to 33. This requirement is traversed to preserve the applicant's rights to pursue upon examination generic allowable claims directed to all or more than one of the stated species. This is not an agreement or acquiescence that no generic claims generic to more than one species are present.

Claim Marking

The original elected claims are so marked, while the non-elected method claims are marked as withdrawn pending rejoinder if an when appropriate. The non-elected species claims are retained marked as original claims pending further prosecution depending on allowance of generic or subgeneric claims.

An early examination on the merits is respectfully requested.

Respectfully submitted,

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